

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Antonio A. Turner,

Case No. 16-cv-2594

Petitioner

v.

MEMORANDUM OPINION

Ronald Erdos,

Respondent

Before me is the Report and Recommendation of Magistrate Judge Kathleen B. Burke filed on July 11, 2017, in the above-entitled action. (Doc. No. 15). Under the relevant statute:

Within [fourteen (14)] days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

*United States v. Campbell*, 261 F.3d 628, 631-32 (6th Cir. 2001) (citation omitted); *see also* 28 U.S.C. § 636(b)(1) (effective Dec. 1, 2009); Fed. R. Civ. P. 72(b)(2). In this case, the fourteen day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

*Thomas v. Arn*, 474 U.S. 140 (1985); *see also United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Following review of the Magistrate Judge's Report and Recommendation, I adopt the Report and Recommendation in its entirety as the Order of the Court. (Doc. No. 15). Accordingly, Respondent's Motion to dismiss is granted (Doc. No. 10), and Petitioner's § 2254 Petition for Writ of Habeas Corpus is dismissed on grounds of procedural default. (Doc. No. 1). Further, I certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this decision could not be taken in good faith,

and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed.

R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge